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Substitute for form 1449/PTO

**Complete if Known****INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 5

Application Number	10/849,990
Filing Date	May 21, 2004
First Named Inventor	Ian M. Penn
Art Unit	3738
Examiner Name	William H. Mathews
Attorney Docket Number	213202-00506

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
2/2		US- 6,217,608 B1	04-17-2001	Penn et al.	
		US- 6,375,677 B1	04-23-2002	Penn et al.	
		US- 6,858,037 B2	02-22-2005	Penn et al.	
		US- 6,881,223 B2	04-19-2005	Penn et al.	
		US- 6,887,264 B2	05-03-2005	Penn et al.	
		US- 6,796,997 B1	09-28-2004	Penn et al.	
		US- 2004/0215325 A1	10-28-2004	Penn et al.	
		US- 2004/0153141 A1	08-05-2004	Penn et al.	
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**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>

Examiner  
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Considered

4/27/06

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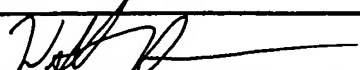
This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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		Examiner Name	William H. Mathews
Sheet 2	of 5	Attorney Docket Number	213202-00506

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
MA		Complaint for Misappropriation of Trade Secrets, Breach of Contract, Breach of the Implied Duty of Good Faith and Fair Dealing, Inducement of Contract and Unjust Enrichment for Case No. CV 804863 in the Superior Court for the State of California in and for the City of Santa Clara, January 28, 2002	
		Judgment After Jury Verdict for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, September 24, 2004	
		Order Granting Defendants Divysio Solutions ULC, Ian Penn and Donald Ricci's Costs As The Prevailing Parties for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, November 18, 2004	
		First Amended Complaint for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, March 21, 2002	
		Second Amended Complaint for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, April 15, 2002	
		Deposition of Donald Ricci for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, December 19, 2002	
		Deposition of Ian Penn for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, January 15, 2003	
		Videotaped Deposition of Dr. Robert E. Fischell, Volume I, for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, August 5, 2003	
		Deposition of Richard Press for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, December 12, 2003	
✓		Deposition of Donald Ricci for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, December 17, 2003	

Examiner Signature		Date Considered	4/27/06
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Sheet 3 of 5	Attorney Docket Number	213202-00506	

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Wt		Deposition of Ian Penn for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, December 18, 2003	
		Continued Videotaped Deposition of Dr. Robert E. Fischell, Volume I, for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, January 15, 2004	
		Deposition of George Adolph Shukov for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, Volume I, pp. 1-257, February 9, 2004	
		Deposition of George Adolph Shukov for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, Volume II, pp. 258-361, February 10, 2004	
		Reporter's Transcript of Proceedings for Hearing on Motion for Summary Judgment for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, March 2, 2004	
		Order for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, March 2, 2004	
		Amended Order for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, March 17, 2004	
		Defendants Divysio Solutions ULC, Donald Ricci and Ian Penn's Trial Brief for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, August 23, 2004	
		Trial Brief of Plaintiff Isostent, LLC for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, August 23, 2004	
✓		Selected Pages from Trial Exhibits for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, August 23, 2004, all document numbers beginning with "L0"	

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Sheet 4 of 5	Attorney Docket Number	213202-00506	

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WHP		Transcript of Trial for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, August 24, 2004	
		Transcript of Trial for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, August 28, 2004	
		Transcript of Trial for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, August 31, 2004	
		Transcript of Trial for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, September 1, 2004	
		Transcript of Trial for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, September 2, 2004	
		Transcript of Trial for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, September 3, 2004	
		Fax Cover page and Isostents's Notice of Motion And Motion For New Trial for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, October 18, 2004	
		Declaration of Alicia N. Vaz In Support Of Defendants' Joint Opposition To Plaintiff's Motion for Equitable Relief for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, November 18, 2004	
		Transcript of Hearing on Motions for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, November 18, 2004	
✓		Isostent, LLC's Reply In Support Of Its Motion for Equitable Relief for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, November 18, 2004	

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MH		Defendants' Joint Opposition To Plaintiff Isostent, LLC's Motion for Equitable Relief; Declaration of Alicia N. Vaz for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, November 18, 2004	
		Answer and CounterClaims of Advanced Cardiovascular Systems, Inc. and Guidant Sales Corporation for Case No. C-06-01066 (PJH) in the United States District Court for the Northern District of California, San Francisco Division, April 6, 2006	
		First Amended and Supplemental Complaint for Patent Infringement And Declaratory Judgement Relief for Case No. C-06-01066 (PJH) in the United States District Court for the Northern District of California, San Francisco Division, April 6, 2006	
		Minutes of the Oral Proceedings before the European Patent Office Board of Appeal for European Patent No. EP 97904958.2, March 3, 2006	

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